

Agenda Items

Consent 1. B. 1.

Regular City Council Meeting

Meeting Date: 12/18/2017

TITLE: Award of the IP-8 and Airport House Demolition Project

On December 12, 2017, the following bids were received:

CONTRACTOR	BID
Swank Construction	\$21,000
Castlerock Excavating	\$21,255
Cayton Excavation	\$23,950
Asphalt Plus	\$24,000
CMG	\$40,250
Donnes	\$40,523
Knife River	\$44,830
COP Construction	\$48,880

RECOMMENDATION

Staff recommends that the City Council approve the award of the IP-8 and Airport House Demolition project to the low bidder, Swank Construction, for the amount of \$21,000.



FROM THE DESK OF . . .

Liz Kampa-Weatherwax

Purchasing Agent

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Billings, MT 59103

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email: kampal@ci.billings.mt.us

MEMORANDUM

Date: December 13, 2017

To: Mayor and Council

Re: Babcock Theatre RFP/IFB Update

REGULAR AGENDA

Item 2

In 2017, an Ad Hoc committee directed staff to advertise and complete a Request for Proposals to Lease, as well as an Invitation for Bids to buy, the City-owned property commonly known as the Babcock Theatre.

Both documents were advertised in the Yellowstone County News and on the City's website. All parties who had previously expressed interest, were personally notified via email.

Two proposals to lease the theatre were received. Due to the fact that we may have also received bids to purchase the theatre property, a presentation and a request to delay action were to be made at the December 18, 2017, Council meeting. However, no bids to purchase were received, so no action is necessary.

The Babcock Ad Hoc Committee met on December 12, 2017, to review and discuss the written proposals. It was decided that each proposer would make a presentation to the committee in early January and the committee would make a recommendation to the Council as a whole as soon as January 22, 2018.

Thank you.

Liz

cc:

Bruce McCandless, Interim City Administrator

file

Consent 1. K.

Regular City Council Meeting

Meeting Date: 12/18/2017
TITLE: Cable Franchise Extension Agreement
PRESENTED BY: Brent Brooks, City Attorney
Department: Legal
Presentation: No

PROBLEM/ISSUE STATEMENT

The City and Bresnan Communications, LLC (known as Charter) are negotiating a cable television franchise agreement that will replace one that expired July 9, 2017. The City Council previously approved term extensions to October 9, 2017, and December 18, 2017 so that negotiations could continue.. Staff and Community Channel Seven General manager Tim Harrington have proposed additional revisions to the franchise agreement that require Charter's review and approval. Staff is recommending a franchise agreement extension to March 26, 2018, to conclude the negotiations, present the revisions to the Mayor and Council and allow adequate public notice and hearing for the proposed 10 year renewal. A Resolution providing for and approving this extension is attached to this memo.

ALTERNATIVES ANALYZED

City Council may:

- Approve the extension, or;
- Disapprove the extension, allowing the current agreement to lapse.

FINANCIAL IMPACT

The franchise agreement fee is expected to produce about \$1.8 million in revenue for the City of Billings for Fiscal Year 2018.

RECOMMENDATION

Staff recommends that the City Council approve the Resolution that extends the Bresnan/Charter franchise agreement term to March 26, 2018.

APPROVED BY CITY ADMINISTRATOR

Attachments

Bresnan Cabke TV Franchise Extension

RESOLUTION NO. 17-_____

**A RESOLUTION OF THE CITY COUNCIL OF BILLINGS, MONTANA
EXTENDING A CABLE FRANCHISE AGREEMENT
WITH BRESNAN COMMUNICATIONS, LLC**

WHEREAS, Bresnan Communications, LLC (“Charter”) currently holds a cable franchise with the City of Billings, granted by Ordinance (“Franchise”), on June 9, 2008; and

WHEREAS, Charter’s Franchise with the City of Billings originally expired on July 9, 2017, but has been extended by City Council approval to October 9, 2017; and thereafter to December 18, 2017 as City staff and Charter representatives continue to work on a revised franchise renewal agreement

WHEREAS, Charter filed a request for renewal of the Franchise under Section 626 of the Cable Act, and Charter and the City of Billings are engaged in ongoing renewal negotiations in accordance with Section 626(h) of the Cable Act; and

WHEREAS, the parties continue to reserve all rights under the formal procedures of Section 626 of the Cable Act and do not waive any rights related thereto; and

WHEREAS, it is in the public interest to extend the current Franchise for an additional period of time so that cable service to the public will not be interrupted; and

WHEREAS, the parties intend and agree that all provisions of the current Franchise as described and approved in Resolution 13-19291 and the Transfer Agreement, both dated June 24, 2013, should remain in full force and effect during the extension period provided below.

NOW, THEREFORE, the City Council of the City of Billings, Montana, does hereby resolve that the Charter Franchise shall be extended until through March 26, 2018 to allow finalization of a revised franchise renewal agreement; and

FURTHER, RESOLVES that execution of this extension shall not constitute a waiver of the City of Billings or Charter’s respective rights regarding the Franchise, and that Charter shall not be required to send another request for renewal of the Franchise under Section 626 as a result of this Extension.

APPROVED AND PASSED by the City Council of the City of Billings, this 18^h day of December, 2017.

CITY OF BILLINGS

By: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Denise R. Bohlman, City Clerk

APPROVED AS TO FORM:

Brent Brooks, City Attorney

ACCEPTED this _____ day of _____, 2017.
Bresnan Communications, LLC
I/k/a Charter Communications
By: _____
Name/Title: _____